

PATENT

Serial No. 10/511,804

Amendment in Reply to Final Office Action of October 18, 2007

REMARKS

This Amendment is being filed in response to the Final Office Action mailed October 18, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1, 4-9 and 11-24 remain in this application. Claims 2-3, 10 and 20 had been canceled without prejudice, and claims 21-24 have been added by this amendment.

In the Final Office Action, claims 1, 4-9 and 11-19 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent Application Publication No. 2003/0168635 (Hampden) in view of Patent Abstracts of Japan, Publication No. JP 01-178584 (Hiroyuki). It is respectfully submitted that claims 1, 4-9 and 11-24 are patentable over Hampden and Hiroyuki for at least the following reasons.

As correctly noted on page 2 of the Final Office Action, Hampden does not teach or suggest mono aluminum phosphate. Hiroyuki is cited in an attempt to remedy this deficiency in

Hampden.

Hiroyuki is directed to a color television phosphor that includes phosphor particles and a silicate (e.g.,  $K_2SiO_3$ ) or a phosphate (e.g.,  $AlPO_4$ ) which is added to adhere at most 2pts.wt. silicate or phosphate to the surfaces of 100pts.wt. phosphor particles.

It is respectfully submitted that neither the Hiroyuki phosphor nor the Hiroyuki silicate or phosphate are analogous to "mono aluminum phosphate," as recited in independent claims 1, 13, 16, and 19.

Accordingly, it is respectfully submitted that independent claims 1, 11, 14 and 19 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that 4-9, 12-13 and 15-24 should also be allowed at least based on their dependence from independent claims 1, 11, 14 and 19, as well as for the separately patentable elements contained in each of said claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

For example, dependent claims 9, 12, 15 and 21-24 also include patentable subject matter. Hiroyuki discloses a relationship based

on weights, namely, 2 pts.wt. silicate or phosphate adhered to the surfaces of 100pts.wt. phosphor particles. It is respectfully submitted that a relationship based on diameters of the luminescent and inorganic particles is nowhere taught or suggested in Hiroyuki. Assuming, arguendo, that Hiroyuki does disclose a relationship based on particle diameters, any such relationship is an order of magnitude of 50 times, namely 2:100.

In stark contrast, the present invention as recited in dependent claims 9, 12, 15 and 21-23, recites that the diameter of the particles of the luminescent material is greater than a diameter of the inorganic material by at least an order of magnitude of hundred or thousand times. These features are nowhere taught or suggested in Hampden, Hiroyuki, and combination thereof.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of

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the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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November 15, 2007

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